

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE**

IN THE MATTER OF THE APPLICATION OF)
CROSSLINK ADVISORS, LLC FOR A)
CERTIFICATE TO PROVIDE ELECTRIC) PSC DOCKET NO. 14-5
SUPPLY SERVICES WITHIN THE STATE OF)
DELAWARE (FILED JANUARY 6, 2014))

ORDER NO. 9980

AND NOW, this 23rd day of February 2022, the Delaware Public Service Commission (“Commission”) determines and orders the following:

WHEREAS, on March 4, 2014, in Order No. 8540, the Commission approved the Electric Supplier Certificate (“ESC”) for Crosslink Advisors, LLC (“Crosslink”) to broker electricity in the State of Delaware pursuant to 26 *Del. C.* § 1012(a) and 26 *Del. Admin. C.* § 3001;¹ and

WHEREAS, in Order No. 8540, the Commission directed Crosslink to file such reports as required by the *Supplier Rules*; and

WHEREAS, subsection 12.3 of the *Supplier Rules* requires the filing of an annual report by April 30th of each year; and

WHEREAS, as more specifically detailed in its February 16, 2022 Memorandum to the Commission, which the Commission incorporates herein by reference, Commission Staff (“Staff”) reports that Crosslink failed to file an annual report by April 30, 2021, in violation of subsection 12.3 of the *Supplier Rules*, and

WHEREAS, despite Staff’s several attempts to contact Crosslink, including a

¹ 26 *Del. C.* §§ 1001-1020 codifies the *Electric Utility Restructuring Act* (the “Act”), and 26 *Del. Admin. C.* § 3001-1, *et. seq.* are the Commission’s *Rules for Certification and Regulation of Electric Suppliers* (the “*Supplier Rules*”). Unless otherwise noted, capitalized terms shall have the meanings ascribed to them in the *Act* and the *Supplier Rules*.

September 20, 2021 letter advising Crosslink that, to avoid revocation of its ESC, it must file its annual report by October 15, 2021,² and a January 20, 2022 letter notifying Crosslink that the Commission would consider deeming Crosslink's ESC to be relinquished at its February 23, 2022 meeting for failing to file its annual report,³ Crosslink neither filed its required annual report nor responded in any manner to Staff's correspondence; and

WHEREAS, subsection 2.14.3 of the *Supplier Rules* provides the following:

The Commission will consider an ESC to be relinquished if the Electric Supplier does not provide the required yearly compliance filing in subsection 12.3 of these Regulations within ninety (90) days of the required date. An Electric Supplier shall be allowed 30 days' notice to cure a late annual filing;

and

WHEREAS, Staff recommends that the Commission consider Crosslink's ESC to be relinquished because Crosslink failed to file its annual report within 90 days of the required date and was allowed more than 30 days' notice to cure its late annual filing as provided by Staff's letters dated September 20, 2021, and January 20, 2022; and

WHEREAS, because Crosslink only operates as a Broker in Delaware and therefore does not provide Electric Supply Service directly to any Delaware customers, Staff recommends that the relinquishment of the ESC be effective immediately;

**NOW, THEREFORE, IT IS ORDERED BY THE AFFIRMATIVE VOTE
OF NOT FEWER THAN THREE COMMISSIONERS:**

1. That, for the reasons provided above, and pursuant to subsection 2.14.3 of the *Supplier Rules*, the Commission hereby considers the ESC granted to Crosslink Advisors, LLC by

² Delivery tracking indicates that Staff's September 20, 2021 letter was undeliverable to Crosslink Advisors, LLC on September 25, 2021, and that the forward expired.

³ Delivery tracking indicates that the January 20, 2022 notice letter was undeliverable to Crosslink Advisors, LLC and returned to the Commission on February 14, 2022.

Order No. 8540 (March 4, 2014) to be relinquished, effective on the date of this Order.

2. That the Commission reserves the jurisdiction and authority to enter such further orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

Dallas Winslow, Chairman

Joann Conaway, Commissioner

Harold Gray, Commissioner

Manubhai "Mike" Karia, Commissioner

Kim F. Drexler, Commissioner

ATTEST:

Malika Davis, Acting Secretary